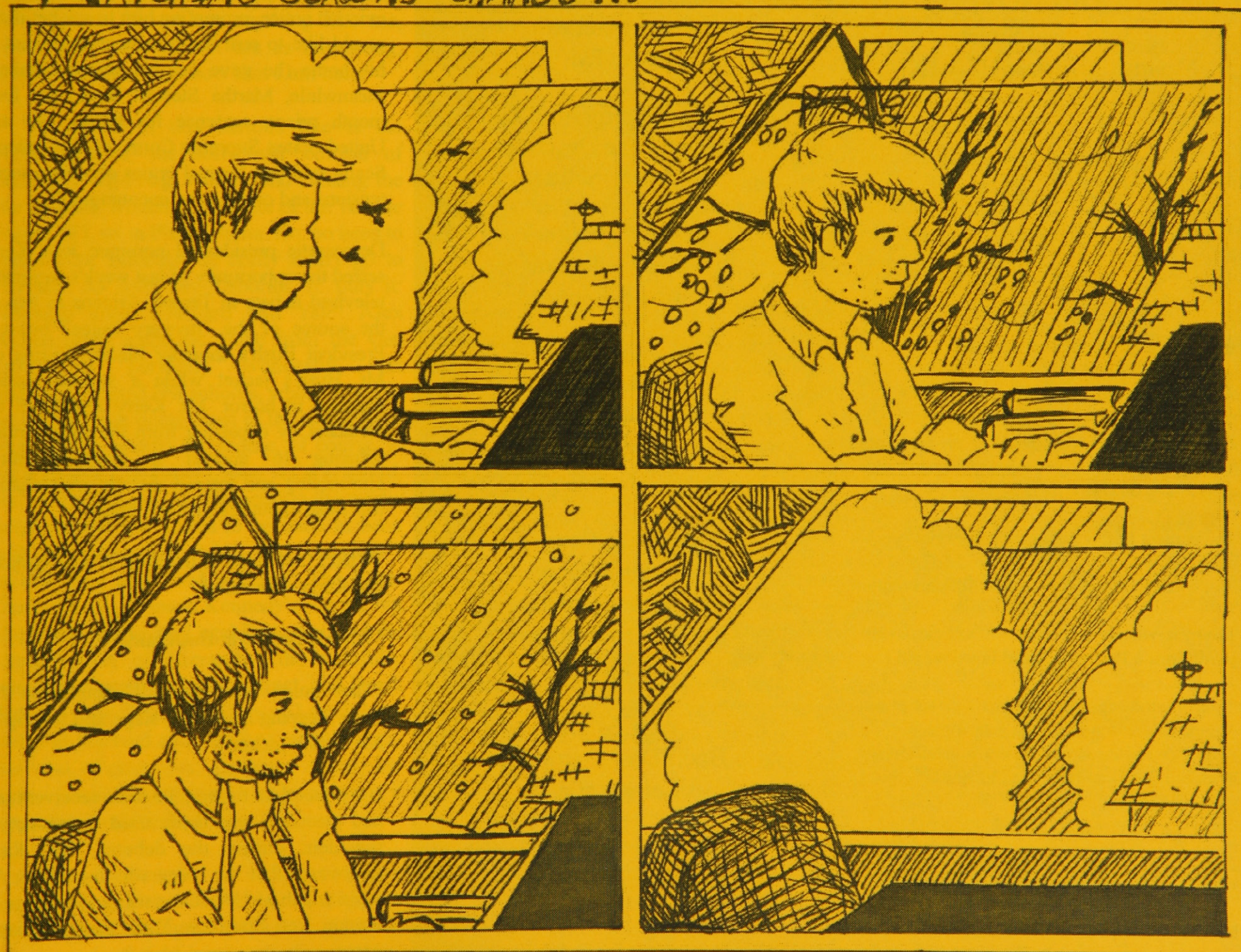


Quid Novi

McGill University, Faculty of Law
Volume 25, no. 7 - October 20, 2004

WATCHING SEASONS CHANGE...



CB2004

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QUID NOVI

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Envoyez vos commentaires ou articles avant jeudi 5pm à l'adresse: quid.law@mcgill.ca

Toute contribution doit indiquer l'auteur et son origine et n'est publiée qu'à la discrétion du comité de rédaction, qui basera sa décision sur la politique de rédaction telle que décrite à l'adresse:

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Week in Review...

The Iraq Survey Group issued its final report and concluded that Saddam Hussein dismantled his nuclear weapons program in 1991 and did not attempt to revive it. The inspectors said that there was no evidence that Iraq continued to possess chemical or biological weapons, and they concluded that Hussein refused to admit he had disarmed because he wanted to maintain a deterrent against Iran. President Bush said that the report proved that Iraq was "a gathering threat." Jacques Derrida died of pancreatic cancer.

At an August hearing in Calgary, Alberta, in which four prostitutes testified against a 17-year-old male customer who had allegedly committed post-sex armed robbery against them, one of the four described the incident that eventually led to the youth's capture. While the boy held a dagger to the woman's chest - presumably without regret - and rummaged through her purse, he came upon her recent eviction notice, prompting him to ask her if she would like to rent the basement apartment in his home (he gave her his phone number). Meanwhile, Martha Stewart began her five-month prison sentence for telling lies and United States Supreme Court Justice Antonin Scalia said that "sexual orgies eliminate social tensions and ought to be encouraged."

Democratic presidential nominee John Kerry seized the opportunity of last week's nationally televised debate in Tempe, Arizona to expose the source of the "mystery bulge" between President Bush's shoulder blades, tearing off Mr. Bush's jacket while a stunned nation watched in horror. Mr. Kerry ambushed the president by departing from the debate rules, refusing to answer a question about outsourcing and instead directly interrogating Mr. Bush about his mystery bulge.

"What's that bulge in the back of your jacket?" Mr. Kerry demanded.

"What bulge?" Mr. Bush said.

"That bulge, you bastard!" thundered Mr. Kerry, leaping across the stage and tearing off Mr. Bush's jacket.

But rather than finding the radio receiver many had theorized was being used to prompt the president during the debates, Mr. Kerry discovered that the bulge was merely an AM radio which Mr. Bush was using to listen to the Boston Red Sox-New York Yankees playoff game.

J.M.

Editor's Page:

Barman as Bildungsroman or Bust?

by Jason MacLean, Co-Editor-in-Chief (Law II)

How many of you read - or were solemnly advised to read - Waddams' *An Introduction to the Study of Law* or Williams' *Learning the Law* (to say nothing of the overrated and well-nigh unreadable *One L* or the tortured travails of Hart in *The Paper Chase*) upon announcing your intentions to attend law school? The publication of law school advice books is something of a cottage industry, one that shows no signs of going away anytime soon. Law students are, like members of any other self-styled marginalized subgroup, inveterate navel-gazers. If you are anything like me, books about law school are as interesting, maybe even more so, now that I am here.

The latest in this curious line is the publication of the soft-cover edition of *Barman: Ping-Pong, Pathos, and Passing the Bar* by Alex Wellen, a graduate of the Temple School of Law in Philadelphia. No, no need to adjust your bifocals, he really didn't go to Harvard. As John Jay Osborne, Jr. puts it: "Enough about Harvard and Yale! Alex Wellen is an authentic voice from the vast group of perfectly wonderful, yet underappreciated law schools, whose students are the Barmen doing most of the actual legal work in the country." Osborne, of course, is the author of *The Paper Chase*, set at Harvard, but he has a point - the fascination the public holds for the law seems to go hand in hand with the fascination it has with Harvard. I myself have read (and watched) *The Paper Chase*, *One L*, Duncan Kennedy's searing but ultimately solipsistic *Legal Education and the Reproduction of Hierarchy*, the painfully earnest and pure *Broken Contract*, and *Brush With the Law: The True Story of Law School Today at Harvard and Stanford*, which treats, inter alia, of group sex, gambling, and crystal meth - as wild as Montreal is reputed to be, it has nothing on San Francisco.

Although *Barman* is refreshingly not about going to Harvard or about the trials and tribulations of selling out (which we get more than enough of right here at modest McGill, thank you), it is about those other reliable sources of fascination among layman and

lawyers alike: New York and big money (I'll confess: guilty again). *Barman*, in fact, is cleverly marketed as *The Paper Chase* meets *Sex and the City*. What's not to like?

Barman, Harvard notwithstanding, is actually a lot like *Brush with the Law* and almost nothing like *The Paper Chase*. While Kevin, Liberty Bell, and the Robot Pimp all chase grades in pursuit of money, Hart and Ford chase understanding, the law itself. In *Barman* and *Brush with the Law*, indeed even in *One L*, the law is at most an afterthought, not even a means to an end as much as an obstacle.

Which is not to say that lawyers must write about the law. Nor is it to say that the pursuit of money is entirely lacking in gravitas - read at once *Liar's Poker* and *Bonfire of the Vanities* (and, while you're at it, why not *American Psycho*?). In a sense, *Barman* has little to do with law and everything to do with its author's development, such as it is. It is more blithe *bildungsroman* than law, and his fate is aptly foretold in a book that speaks to those passionate about law just as urgently now as it did upon its publication in 1931. It is not hard to imagine that Karl Llewellyn had the likes of Alex Wellen in mind when he wrote in his wonderful yet underappreciated book *Bramble Bush*:

"Calm cynicism counsels: you need money; you can do this as well as the next man, and better Yet of two things one: either the man finds himself not man enough to carry his two lives separately, either he goes under the surge of the law-factory, to be thrown up after five years upon the beach, a dry smooth, shining pebble: so too with the vast bulk of men who try this road.... It is more than a feeling of wastage in his work; it is a feeling of unremitting compromising and soiling of the very ideals that the coin was meant to salvage."

Like Thoreau, the publication of new books inevitably makes me want to revisit old ones like *Bramble Bush* and by far the most

entertaining book in our library, A.P. Herbert's satirical *Uncommon Law*, which lays bare the truth of Holmes' maxim that the "life of the law has not been logic: it has been experience."

And yet, writing about law is in our time proliferating at an unprecedented pace. Perhaps the best new writing about law is on the internet. For example, the recently concluded blog *The Curmudgeonly Clerk* (archives are available at <http://curmudgeonlyclerk.blogspot.com>) was a consistently entertaining and thoughtful source of legal thought and debate. Similarly worthwhile sites include *The Volokh Conspiracy* (www.volokh.com) and *de novo* (blogdenovo.org).

To be true to my legal pluralist, trans-systemic leanings, of course, I would be remiss if I did not conclude by pointing out that not only law, but a love of the law, may be found far beyond the precincts of official legal texts. Take, for instance, *Barbarians at the Gate: The Fall of RJR Nabisco*, and do not be fooled by its inclusion in the *HarperBusiness Essentials* series. Amid all the greed and pathos of the 1980s LBO wave, amid all the investment bankers and, yes, lawyers in pursuit of their parasitic fees, there is, deeply embedded, another story about a few people who loved and embraced the noble and creative sides of law. Tax law, in fact. Their brief tale and others like it are worth ten Barmen and twenty Brushes with the law.

QUID POLL:

**SHOULD THE ONLINE VERSION OF THE QUID BE ABOLISHED IN THE INTEREST OF ATTRACTING MORE SUBMISSIONS?
(ARE YOU AFRAID OF BEING GOOGLED?)**

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View From Beyond

by Allen Mendelsohn (Alumnus)

The porn spam in my email (almendelsohn@hotmail.com) has dried up to virtually nothing. Unfortunately, the email from inquisitive law students continues to be nothing as well. So more insane ramblings it is (hmm, I seem to recall trying to convince you I was the normal alumnus).

Maybe you just think that someone using a Hotmail address isn't real. OK, I'll buy that. Here's another email address - amendelsohn@rsslex.com - which has a little more zing to it as proof I am who I say I am. My previous work email address - amen@rsslex.com - continues to work as well, but for obvious God-related reasons I don't like to use it too much. Although I'm pretty much an atheist. Ironie.

Instead of email, you can always try the personal approach. This Thursday, October 21, is the Young Alumni Coffee House,

actually organized by yours truly in conjunction with your very helpful and capable VP Internal. Come tell me I'm an asshole in person, and see if my fellow young alumni and I still have what it takes to drink beer and smoke in the garage with the best of them. Come see if lawyers have improved their decision-making skills since their Faculty days, or if they still stand around for a half hour when Coffee House ends, trying to decide where to go for dinner. This Coffee House is good because you get the chance to talk to alumni without them prostituting themselves for their firms like they do at the sponsored Coffee Houses. Although, admittedly you have to pay for your beer, which sucks. But I promise to buy a beer for the student who tells me I'm an asshole in the most creative way.

And we're back to the ramblings after that commercial break. It's really weird about the lack of porn spam. I have been trying to figure

it out. Possibly Hotmail's new Spam Guard or whatever the fuck they call it is really working, although I find that hard to believe as that would mean Microsoft actually knows what they're doing.

The alternative is that the spammers are mining my computer for information, and finding out that I am advancing in years and so my libido is waning, which would also explain the increased spam for herbal Viagra. That would mean that spammers are taking advantage of Microsoft's crappy security, which is a much more plausible explanation.

OK, enough of the ramblings. Here's a story that actually has a lesson buried in there somewhere (don't stop reading, it's good, I swear). I am writing this piece from the heart of beautiful yet smoggy Beijing, China. It all started a few years ago when I was near the end of my stage. The head of the Immigration Department at my firm came to my office one day and invited me to lunch and says he had a proposition. I had no idea what the proposition could be, but free lunch - woohoo! So he took me to lunch, and asked me if I had any interest in Immigration Law. I told him I had never really thought about it, so no. He said that he was looking for someone to spend 3 months in Hong Kong working for his department. All of a sudden I had a big interest in Immigration Law.

The 3 months in Hong Kong turned out to be awesome, even if the second half was marred by SARS. As part of my new Immigration Law practice I have subsequently made other trips to China and Korea. I have seen and done things I never thought I would have the chance to see and do. I have walked on the Great Wall. I have stood in the same spot where Emperors stood 3000 years before. I have eaten fish heads and pigeon and liked it. I have discovered my new all-time favourite drink, Pocari Sweat, the Asian Gatorade, which really kicks ass when you mix it with vodka. I have smoked the finest Nepalese hashish, bought for about \$4 a gram.

So the lesson here is pretty obvious even to my hazy brain - think outside the box in terms of your career and the rewards can be incredible. Don't think you can only be a corporate lawyer or litigator. Take a chance on something different, even if you never thought about it before. You might go to places, both literal and figurative, you never dreamed you would. You could get the same advice from many of my former classmates, like Jeff Nichols, LL.B./B.C.L. '01. If you can reach him. He's on a tropical island in Micronesia helping rewrite their laws.

Signing off from Beijing. Hope to see you Thursday. ■

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News Item: Mike Brazao Pleads Intoxication to Crimes Against Hygiene

by Aaron Chase (Law IV)

Mike Brazao, Law IV, entered a defence of intoxication yesterday at the Star Chamber to a charge of crimes against hygiene.

Brazao, long suspected of committing crimes against hygiene, was finally arrested last week after coming to school with an unprecedented amount of greasy neck and arm hair. Members of the RCMP's Special Investigation Unit were later seen collecting evidence at Mr. Brazao's apartment in full antiseptic gear. "The way they were dressed, I thought they would be pulling a dead body or a nuclear bomb out of there," remarked a witness to the search. "Instead, they came out with one pair of white socks and what looked like a pair of tighty-whities with a yellowish-brown streak down the middle."

Brazao vigorously contested the search of his apartment, claiming that, "it must be unconstitutional, or something, to deprive a man of his entire set of undergarments. Could someone who did not get a 'D' in constitutional law please look into this for me?"

Mike Rowland, Law IV, was in charge of the investigation. "I knew he was involved in some shady business as soon as I found out he participated in Toronto OCIs last year. Right there I knew it would be no problem to convict him of murder. I mean, there is a clear causal link between Mr. Brazao's support of the law firm 'system,' man, and the execution

of inmates on Alabama's Death Row. I mean, who could possibly argue with that? What are you, stupid? Anyway, I decided to wait until Mr. Brazao actually got a job before proceeding with that prosecution. Not that the causal link is any weaker if he hasn't started working yet, though, man. Power to the people! Hey, this story will be carried in French too, right? It had better be. Don't make me call the Office de la Langue Française - again."

Rowland said the arrest followed a disturbing, anonymous report received at his office last Tuesday. "Someone called in and said they had just overheard Brazao outside the men's bathroom in the basement claiming he was going to 'drop some serious bombs in the hood.' Becoming alarmed, the informant followed Mr. Brazao into the bathroom to see what he was up to. Moments later, there was an explosion, of sorts, in one of the stalls and the informant was overwhelmed with a wave of noxious vapours so potent that he was temporarily blinded, became dizzy and barely managed to stagger out of the bathroom while struggling to stay conscious, before ultimately collapsing in the locker room and vomiting all over

himself."

Professor Tetley, who happened to be walking by the bathroom at the time of the incident, agreed that Brazao deserved to be arrested for what he had done. "Not since being gassed by the Huns in the Great War have I inhaled such poisonous fumes," he testified before the judges of the Star Chamber at Brazao's indictment.

Brazao decided to plead intoxication after he learned on which day of the week the alleged crime was committed. "What day did you say it was again? What? Wednesday? Yeah, I was wasted. What's that? It was Tuesday? Umm, yeah I was wasted then too."

**Assistant Dean Bélanger
will offer an**

**INFORMATION SESSION ON
EXCHANGE PROGRAMMES**

**Wednesday, October 20, 2004
12h30 - 14h00
Moot Court**

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The Dog Pound

by Leila Jawando (Law II)

It was a nice morning. In fact, it was better than nice. It was pretty sweet. The sun was shining, and I was in a particularly good mood. This, despite the fact that I was on my way to a class I knew nothing about.

As I approached my friendly halfway point, I noticed something out of the ordinary. In the gazebo (you know, the one just south of the coveted TamTam venue), there was a band set up. Not that I think bands are strange - in fact, bands are often fun and exciting. Bands in random gazebos at 10 o'clock in the morning, however, are enough to cause any rational soul to have an Arsenio moment. So I did.

As I emerged from my moment, I was feeling at peace with fond memories of seeing the C + C Music Factory on Arsenio. I even found myself humming as I passed the gazebo.

Suddenly, I heard a frantic voice shouting:

"Excusez! Excusez! Avez-vous un moment?"

I was in such a good mood (and he didn't look crazy) so I stopped. He then asked:

"Connaissez-vous Elton John? Le chanteur, Elton John?"

Slightly amused, I told him that I had. He then proceeded to explain his dilemma: he was a director working for Elton John, and they were just about to shoot a video. However, the band's drummer had fallen ill, Elton John was expected in 3 minutes, and the video needed to be done by noon. So would I please please lip synch and pretend to be a drummer with the band for five minutes for the video?

For a moment, I remembered my brief stint as a drummer back in my day. I soon had grandiose visions of Lenny Kravitz and his female drummer. She's cool. I could work it. This could be my big break.

However, my trusty "Shade-Alert" sounded loudly in my ear. My grandiose visions were quickly replaced with images of my sweet, smiling face digitally mastered... in a Snoop Dogg production of Girls Gone Wild... wearing a t-shirt that said "Hoochies fo' Life."

Now, perhaps this man actually was an honest director just trying to meet a deadline. Perhaps the city of Scarborough has placed my "Shade-Alert" in a perpetual state of unwarranted vigilance and, thus, was on the verge of claiming another victim - this director.

However, I could not bring myself to ignore my Scarborough sixth sense for seedy solicitation. So I declined his offer and continued on my walk to school, vowing to burn that t-shirt as soon as I got home. ■

Reeperbahn (Rope Makers' Street)

By Sam Oliver Hall

The snow fell heavily on his cheek as he rose from the gutter at four.
This gravely repose, as Hamburg's prostitutes tugged at his collar.
These painted cranes breathing smoke and perfume and menthol through the chill.
Ja, es geht. Danke sehr.
Loss, so far from the beginning, is the common passage of the child.

Let the ship slide silently through the dark harbour.
Let the lights of the river towers burn him home.

This was his senti pensanti, the fisherman's "thinking-feeling".

¡Ay Caramba!
November 4th is getting
closer!

DUE DILIGENCE: THE 10th CIRCLE OF HELL?

Get the inside scoop on work and life in Corporate Practice

Panel Discussion Featuring

Ben Aronovitch (Law III), Summer Associate, Cravath, Swaine & Moore, New York

Carolyn Nguyen (Law II), Summer Legal Associate, Caisse Centrale Desjardins, Montreal

Akbar Hussain (Law II), Legal Intern, White & Case, Jakarta

Andrea Gede-Lange, (Law IV), Summer Student, Bennett Jones LLP, Toronto

Pierre-Olivier Savoie, (Law IV), Summer Associate, White & Case LLP, New York

Joseph Reynaud (Law II), Summer Associate, Shanghai Talent Law Firm, Shanghai

A McGill Business Law Association Event

Wednesday October 20 @ 1PM
Room 201 New Chancellor Day Hall

Concours de débats oratoires Face à Face 2005

par Jean-Philippe Dallaire

Pour la première fois de son histoire, la compétition de débats oratoires Face à Face pourrait tenir sa finale nationale dans notre université cette année. À sa première participation l'année dernière, McGill a remporté la deuxième place. Puisque notre statut d'hôtes nous impose cette année de faire encore meilleure impression, les premières éliminatoires de la courte existence des débats Face à Face à McGill seront organisées cette année.

Les débats Face à Face se déroulent en français. La connaissance du français oral est donc nécessaire pour participer aux débats, bien que ceux-ci soient évidemment ouverts aux anglophones et allophones qui savent s'exprimer dans la langue de Molière. Les compétitions éliminatoires devraient se dérouler en janvier et s'échelonner sur une ou deux journées ou soirées, selon la participation.

Les débats Face à Face regroupent des étudiants en droit et les amènent à débattre de diverses questions controversées. Ils opposent deux équipes de deux personnes. Les débatteurs sont invités à argumenter dans un contexte très différent de celui d'une cour de justice, puisqu'ils sont autorisés à faire appel à des sources extralégales pour argumenter. C'est ainsi que, l'année dernière, de futurs juristes ont été appelés à discuter de sujets tels que les symboles religieux dans les écoles, les salaires des sportifs professionnels, la vente de médicaments génériques dans les pays en voie de développement, le phénomène du téléchargement dans Internet, les primes au rendements dans les entreprises ainsi que les tests de dépistage du sida dans certaines professions. Des prix en argent sont remis aux équipes les plus fortes ainsi qu'aux meilleurs argumenteurs.

L'an dernier, les six facultés de droit civil du pays ont été invitées à envoyer des représentants à la finale et cinq d'entre elles ont croisé le fer le

temps d'une soirée à Sherbrooke. L'équipe de Sherbrooke a remporté le premier prix.

Durant les prochaines semaines, vous assisterez dans le Quid à des débats portant sur différents sujets d'actualités. La semaine prochaine, deux personnes débattront de la question suivante : Pour ou contre la vente de

produits pharmaceutiques génériques dans les pays du tiers monde.

Les intéressés sont invités à nous écrire au faceafacemcgill@yahoo.ca afin d'obtenir plus d'information ou pour signifier leur intérêt à former une équipe. Les inscriptions s'échelonneront jusqu'à la fin novembre. ■

McGill Access to Essential Medicines Campaign

The Pre-Halloween Party

Thursday, October 28th

Club 737

(Top of Place Ville-Marie)

Doors Open 9pm

Tickets 7\$ - Purchase in Advance Only

Available at:

Law School Atrium & SSMU:

New Residence, Front Door:

Oct 21st
Oct 22nd
Oct 25th
Oct 26th
Oct 27th
Oct 28th

11am - 2pm

Oct 25th
Oct 26th
Oct 27th

2:30 - 5:30pm

or email alaw17@po-box.mcgill.ca

<http://www.law.mcgill.ca/students/clubs/charityball>

McGill Law International Human Rights Internship Programme

APPLICATIONS DUE AT OUS BY 3PM, THURSDAY, OCTOBER 21st, 2003

The International Human Rights Internship Programme selects law students for placements as interns with NGOs over the summer, to provide students with an opportunity to contribute to the work of human rights organizations in Canada and beyond. The Programme is a 6-credit course consisting of three components: a 12-week placement; an internship report (25% of the final grade); and a research paper (75% of the final grade). Partner NGOs provide students with practical work experience in human rights investigation, monitoring, and reporting. The internships also provide exposure to the operation and implementation of international legal human rights instruments and norms.

2005 Partner NGOs

- " Human Rights Watch in New York City, U.S.A.
- " The Human Rights Commission of Pakistan in Lahore, Pakistan
- " The Inter-American Court of Human Rights in San José, Costa Rica
- " The International Centre for Ethnic Studies (ICES) in Colombo, Sri Lanka
- " The International Criminal Tribunal for Rwanda in Arusha, Tanzania
- " The Africa and Middle East Refugee Assistance (AMERA) Legal Aid Project in Cairo, Egypt
- " The Cambodian League for the Promotion and Defence of Human Rights (LICADHO) in Phnom Penh, Cambodia
- " The United Nations Development Program (UNDP) and Yemeni Ministry of Human Rights joint project, "Strengthening National Capacity in Human Rights" in Yemen
- " The Canadian HIV/AIDS Legal Network in Montreal, Canada
- " The Canadian Human Rights Foundation in Montreal, Canada
- " The International Centre for Human Rights and Democratic Development (Rights & Democracy) in Montreal, Canada

Important Dates

- Thursday, October 21st, 2004: Applications DUE at OUS (by 3PM)
- Monday, October 25th, 2004: Notification regarding interview
- Friday, October 29th, 2004: Interview day
- Monday, November 1st, 2004: Notification of candidates selected

Applications

Applications consist of a detailed curriculum vitae and a covering letter, and should be addressed to the Selection Committee of the International Human Rights Internship Programme. Applicants are invited to provide information about prior interest and experience in the area of human rights advocacy, in addition to relevant language skills. Applicants may address their applications toward a particular internship placement based on geographic or subject interest. Students may mention relevant course work, but are asked NOT to include grades on either the cover letter or the curriculum vitae.

Evaluation of Applications

The Selection Committee will consider applications on the basis of superior writing skills, demonstrated interest in international human rights, and the ability to work independently in a difficult environment. In general, the successful candidate will possess not only academic strengths, but will also demonstrate an ability to work effectively without supervision and often without structured direction. Interns may be asked to change the focus of their work during the course of a placement, to take on new responsibilities, and to deal with crises. Placements will also demand a certain level of emotional and mental strength. The Selection Committee is thus also seeking interns who demonstrate characteristics such as discretion, diplomacy, common sense, and compassion.

Contact Information

Assistant Coordinator - Ian Philp

ian.philp@mail.mcgill.ca

514-522-1480

Programme Supervisor - Professor René Provost

For further details on the Programme pick up the complete information package at the OUS or find it online at:

<http://humanrights.law.mcgill.ca/internships.htm>

Next Stop : Green Land

by Émélie-Anne Desjardins (Law IV)

La tendance écologique Finlandaise que j'ai toujours louée a à présent une compétition sérieuse. J'ai effectivement découvert il y a quelques jours que l'Allemagne, en plus d'être un pays magnifique, a pris le virage vert à pleine vitesse depuis 1998, en instaurant des politiques environnementales sans précédent, alors que nous ne voyons pas même encore la lumière au bout du tunnel. C'est dire que sur le chemin vert, ils ont une sévère longueur d'avance sur nous.

L'Amérique du Nord a un sérieux problème de contrôle d'énergie. Si les 7 milliards d'humains sur la planète consommaient au même rythme que nous il faudrait trois Terres pour

L'élément réellement surprenant de cette immense machine est cependant que ces initiatives ont eu un impact positif non seulement pour l'environnement, mais aussi sur le marché du travail. Aujourd'hui, c'est plus de 130 000 emplois qui ont été créés dans le domaine, et le chiffre continue d'augmenter.

subvenir à leurs besoins ; les ressources planétaires s'épuisent, incluant les ressources disponibles à la production d'énergie. Dans ce contexte, l'attitude innovatrice de l'Allemagne est définitivement à imiter.

L'explication de l'origine du mouvement écologique de ce pays a plusieurs niveaux. D'abord, le parti vert allemand s'est associé à Schröder, il y a quelques années, pour résoudre le problème grandissant de la

consommation énergétique trop élevée du pays. En 1992, en effet, l'Allemagne se retrouvait au troisième rang des plus grands consommateurs d'énergie, derrière les États-Unis et le Japon. De plus, l'Allemagne se doit d'importer toutes ses sources d'énergies de l'extérieur (pétrole, charbon, gaz naturel), la seule ressource disponible sur le territoire du pays étant le lignite, qui est également la source d'énergie la plus polluante qui soit. Cette position devint problématique lorsque l'Union Européenne a signé, en 1997, l'accord de Kyoto. L'Allemagne a à cet instant fait face à un défi immense, qu'elle a su relever avec brio : réduire sa consommation énergétique et les polluants qui y sont associés.

En 2000, le gouvernement Schröder a donc adopté l'Acte des énergies renouvelables, qui a mis en branle l'immense machine à sauver la planète qui fonctionne maintenant en terre allemande. D'ici 2010, l'acte propose de doubler l'apport des sources d'énergies renouvelables au pays, pour combler la moitié des besoins allemands en la matière d'ici 2050.

L'Allemagne mise sur la variété pour atteindre ses objectifs. D'abord,

les compagnies d'électricité se doivent d'acheter de l'énergie originant de sources propres. Leur tarif est fixe et de 3 à 4 fois plus élevé que le prix de l'électricité produite par le charbon ou le nucléaire, ce qui multiplie les producteurs indépendants, qui bénéficient, dès le démarrage de leur entreprise, d'acheteurs directs.

Innovation des plus créatives, les exigences de construction ont également été modifiées en 2002 pour faire place à des normes d'efficacité énergétique réduisant de 30% la consommation d'énergie par rapport aux normes traditionnelles, accordant du même coup des subventions importantes à la rénovation de vieux bâtiments pour les rendre conformes à la nouvelle réglementation. Ces subventions sont financées par les écotaxes sur l'essence (qui se vend à plus ou moins 2\$ CAN le litre), qui motivent du même coup l'achat de petites voitures moins énergivores - et donc moins polluantes. C'est ce qui s'appelle faire d'une pierre deux coups.

Le gouvernement a de plus implanté des mesures favorisant l'utilisation d'éoliennes. La quantité de terrains propices à leur construction ayant déjà été presque totalement utilisée, on planifie à présent à leur construction en mer, sur des hauts-fonds déjà repérés par le gouvernement allemand dans la mer Baltique et la mer du Nord.



Bottle lids are usually made of a different material from bottles. Remove lids before throwing bottles into the recycling bin! Envirotip brought to you by: ELM



L'ensemble de ces mesures ont eu pour résultat de diminuer de 18.7% l'émission allemande de gaz à effet de serre par rapport au taux de 1990. Le chiffre est énorme, les résultats sidérants.

L'élément réellement surprenant de cette immense machine est cependant

que ces initiatives ont eu un impact positif non seulement pour l'environnement, mais aussi sur le marché du travail. En 2001, entre 4000 et 5000 emplois dépendaient des énergies renouvelables et de leur exploitation. Aujourd'hui, c'est plus de 130 000 emplois qui ont été créés dans le domaine, et le chiffre continue d'augmenter.

Si l'Allemagne, pays aux ressources naturelles limitées et au territoire relativement petit, a su mettre sur pied une telle exploitation et la rentabiliser, sans doute un pays au territoire aussi grand et riche en ressources que le nôtre saurait trouver sa place auprès des puissances écologiques de ce monde. ■

The Legal World (Sept.)

by Aram Ryu, Co-Editor-in-Chief (Law III)

A lot of things happen in the world, especially in the legal world. Sometimes, it may seem impossible to keep up with the latest developments. *Quid* is trying to simplify this "learning" process into a tidbit of information on our blog. Blog is simply a diary that the *Quid* editors maintain on the web for anybody to see and discover the exciting world out there! Here is the summary of the blog for the month of September 2004.

Attack of the Radio Clones

Microsoft is at it again: they launched a service that might not be completely legal... or is it? They started charging people for listening to radio stations that sound like the real thing with "fewer ads, no DJ chatter and less repetition." For now, this service is available for free to anybody who uses their Windows Media Player so arguably they are not making money directly from it... However the legal question whether a radio playlist can be protected or whether it is simply a fact available to the public will have to be addressed by the courts and by many IP enthusiasts of the world!

Twist a pen and open a lock

For those of you using bikes and

Kryptonite brand locks, reading this article will probably prevent your bike from being stolen! Apparently, the lock can be opened with a ballpoint pen... Several class actions have been launched against the makers so this is not the end of the story! We'll keep you updated on its progress.

Tokyo wants youth sex law

It is fairly uncommon to find unrealistic laws in many jurisdictions and this seems to be another one to add on the list: parents would be responsible for keeping school-aged children from having sex! Of course, in order to enforce this law, parents will have to use latest and greatest gadgets to invade children's privacy. At least the official isn't too delusional: he admits it'll be hard to enforce the law...

Most kids don't lie in courts

According to a study conducted by Lee, Victoria Talwar of McGill University, children will not lie on the stand even if the parents tells them to! Perhaps children are more reliable than some adults who don't think perjury is a big thing... that gives me an idea! Why don't we make the juries 12 children instead of adults?

Illegal driving in California

So it seems illegal immigrants won't be able to drive legally in California any time soon! Our favourite governor (The Governorator) has vetoed a bill that would have given driver's license to illegal immigrants, to the delight of many officials in the Homeland Security Agency.

Bootleg law gone!

It seems the Recording Industry Association of America has lost another legal battle. A judge in US ruled that a law prohibiting the sale of bootleg recordings of live music was struck down.

(Parts of) Patriot Act gone also!

Finally someone recognized that civil liberties are important! In an unsurprising move, a federal judge found unconstitutional a part of the Patriot Act that forced businesses to disclose customer records without court intervention. As many people have said, the disappearing civil liberties show that, in a way, terrorists have already won. Hopefully this decision will restore the rule of law (and common sense) back to USA!

Visit the blog to find more. Go to our website and follow the link.

What would Darwin say?

(Some news to read with the gene pool in mind)

Man jailed after shooting his testicles (Reuters 13 July, 2004)

LONDON (Reuters) - A British man who accidentally shot himself in the testicles after drinking 15 pints of beer has been jailed for five years for possessing an illegal firearm, a court spokesman says.

David Walker, 28, was arguing with a friend at a pub in South Yorkshire when he went home to get his sawn-off shotgun, which he jammed into his trousers.

But as he walked back to the pub, the gun went off, blasting pellets into his testicles. Doctors later removed what remained of his testicles during emergency surgery.

Walker admitted possessing a prohibited weapon at a hearing in June at the court in Sheffield.

Russian Roulette for dummies (Houston Chronicle 28 February 2000)

A Houston man earned a succinct lesson in gun safety when he played Russian roulette with a .45-caliber semiautomatic pistol. Rashaad, nineteen, was visiting friends when he announced his intention to play the deadly game. He apparently did not realize that a semiautomatic pistol, unlike a revolver, automatically inserts a cartridge into the firing chamber when the gun is cocked. His chance of winning a round of Russian roulette was zero, as he quickly discovered.

Wait, I can't hear you for some reason... (Kansas City Star, 2 August 2002)

Police said an Olathe man was struck and killed by a train after his vehicle broke down on Interstate 35. His attempts at repairing his car had failed, and he had stepped away from the busy freeway to call for help, when the train engineer spotted him standing on the tracks. The engineer said the man was holding a cell phone to one ear, and cupping his hand to the other ear to block the noise of the train.